REMARKS

Status Summary

Claims 1-7 and 9-23 are pending in the present application. In this amendment, claims 9-10 have been canceled, and no new claims have been added. Therefore, upon entry of this amendment, claims 1-7 and 11-23 remain pending.

Summary of Telephone Examiner Interview

Applicants acknowledge with appreciation the telephone interview granted by the Examiner to applicants' representative, Kirby A. Turner, on April 30, 2010. In the Telephone Examiner Interview, the presently pending claims and the cited art were discussed. While no agreement was reached regarding the claims, the Examiner agreed to consider any amended claim language provided by the applicants. The applicants' representative later proposed the amendment contained in the present response to the Examiner via facsimile on May 3, 2010. In response, the Examiner indicated in a May 3, 2010 voice message that if claim 1 was amended accordingly, the amendment would overcome the combination of the art cited in the present Official Action. The Examiner is invited to call applicants' attorneys, Kirby A. Turner or Gregory A. Hunt, at (919) 493-8000 to conduct a subsequent telephone interview to resolve any outstanding issues.

Claim Rejection - 35 U.S.C. § 103

Claims 1, 2, 5-9, 15-17, 20, and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0058061 to

Shaffer et al., (hereinafter, "Shaffer") in view of U.S. Patent No. 7,286,545 to Tester et al., (hereinafter, "Tester") and U.S. Patent Application Publication No. 2004/0063499 to Schneider et al., (hereinafter, "Schneider"). This rejection is respectfully traversed.

Independent claim 1 has been amended to recite:

1. A multi-site redundant telephony call processing system comprising:
    (a) an active telephony call processing host located in a first geographic region for controlling calls between telephony subscribers;
    (b) a standby telephony call processing host located in a second geographic region remote from the first geographic region for taking over call control functions handled by the active telephony call processing host in response to failure of the active telephony call processing host, the active and standby call processing hosts forming a single logical telephony call processing node;
    (c) a first local area network (LAN) including a first LAN segment and a second LAN segment being geographically distributed between the first and second geographic regions for carrying signaling messages to and from the active and standby telephony call processing hosts, wherein the first LAN is bridged over a wide area network (WAN) by interconnecting the first LAN segment located in the first geographic region with the second LAN segment located in the second geographic region; and
         a second LAN including a first LAN segment located in the second geographic region and a second segment located in the first geographic region, wherein the second LAN is a redundant LAN with respect to the first LAN, and wherein each of the first LAN and the second LAN respectively includes a single IP subnet.

Specifically, claim 1 has been amended to recite 1) that a second LAN that includes a first LAN segment located in the first geographic region and a second LAN segment located in the second geographic region, 2) that the second LAN is a redundant LAN with respect to the first LAN, and 3) that each of the first LAN and the second LAN respectively includes a single IP subnet. Support for these amendments are found, for example, on page 4, lines 1-11. Additional support is also found in canceled claims 9 and 10. Applicants respectfully submit that the combination of Shaffer, Tester, and Schneider fails to teach or suggest that each of the first and second

LANs includes a single IP subnet and that the second LAN is a redundant LAN for the first LAN.

Shaffer instead discloses a telecommunications system that includes a single LAN **101** that is coupled to a variety of H.323 terminals **102a**, **102b**, a primary H.323 gatekeeper **108a**, a secondary H.323 gatekeeper **108b**, and a number of other devices. There is absolutely no teaching or suggestion in Shaffer of a LAN other than LAN **101**. Specifically, Shaffer fails to disclose that LAN **101** is a second LAN, much less a second LAN that is redundant with respect to a first LAN and that each of the first and second LANs respectively comprise a single IP subnet (i.e., a distributed LAN remains the same single LAN).

In section 2, the Official Action indicates that Shaffer does not specifically disclose the geographic distribution of processing hosts. In an attempt to overcome the substantial gap existing between claim 1 and Shaffer, the Official Action introduces Tester which discloses call servers that are geographically distributed in a packet network. Specifically, column 9, lines 24-40 of Tester discloses the notion that backup call servers should be positioned at geographically disparate locations to minimize the impact of call server failures caused by geographic incidents. Applicants submit that Tester, alone or in combination with Shaffer and Schneider, also fails to teach or suggest a second LAN that includes a first segment located in the first geographic region and a second segment located in the second geographic region and that is a redundant LAN with respect to the first LAN. Tester also fails to teach or suggest that each of the first LAN and the second LAN respectively includes a single IP subnet as

recited in claim 1. Rather, Tester only discloses that backup servers may be positioned at geographic disparate locations.

Section 3 of the Official Action states that Shaffer in view of Tester does not disclose a LAN connecting the call processing hosts via a LAN bridged over a WAN. In an attempt to overcome this substantial gap existing between claim 1 and Shaffer in view of Tester, the Official Action introduces Schneider to disclose geographically distributed servers connected to respective LANs bridged by a WAN. Applicants respectfully disagree and submit that Schneider instead discloses a method for awarding a bonus to a gaming device on a WAN. Portions of the WAN are located at different casinos, wherein each casino includes a separate LAN. (See Schneider, paragraph [0013] and Figure 1). For instance, Figure 1 of Schneider shows a single WAN **12** that serves to connect a plurality of separate LANs **18A-E**. Applicants submit that while Schneider may disclose that WAN **12** serves to connect the individual LANs **18A-E**, there is simply no teaching or suggestion in Schneider that any of the LANs disclosed provide backup or are redundant with respect to each other. Further, not one of the LANs disclosed in Schneider is geographically distributed. Although the LANs disclosed in Schneider are positioned at different and separate casinos, each of the disclosed LANs is a single, separate LAN (e.g., with its own IP subnet) and is centrally located within each casino (i.e., not geographically distributed between two areas).

For at least the reasons stated above, applicants submit that the combination of Shaffer, Tester, and Schneider fails to teach or suggest a second LAN that includes a first segment located in the first geographic region and a second segment located in the

second geographic region, that the second LAN is a redundant LAN with respect to the first LAN, and that each of the first LAN and the second LAN respectively includes a single IP subnet. Accordingly, because the combination of Shaffer in view of Tester and in further view of Schneider fails to teach or suggest the subject matter of independent claims 1 and 15, it is respectfully submitted that the rejection of dependent claims 2, 5-7, 16-17 and 20-21 (i.e., claim 8 was canceled in the previous Office Action response, and claim 9 has been canceled in the present response) as being unpatentable over Shaffer in view of Tester and Schneider should be withdrawn.

Claims 3, 4, 18, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaffer in view of Tester and Schneider as applied to claim 1 or 15 above, and further in view of U.S. Patent Application Publication No. 2002/0160810 to Glitho et al., (hereinafter, "Glitho"). This rejection is respectfully traversed.

Claims 3-4 depend from claim 1 and claims 18-19 depend from claim 15. As stated above, the combination of Shaffer, Tester and Schneider fails to teach or suggest a second LAN that includes a first segment located in the first geographic region and a second segment located in the second geographic region, that the second LAN is a redundant LAN with respect to the first LAN, and that each of the first LAN and the second LAN respectively includes a single IP subnet. Glitho likewise lacks such disclosure or suggestion. Glitho is instead directed to an intelligent network service control point and method of implementing user services utilizing call processing language scripts. Thus, Glitho fails to bridge the substantial gap existing between the claimed subject matter and the combination of Shaffer, Tester and Schneider.

Accordingly, it is respectfully submitted that the rejection of claims 3-4 and 18-19 as being unpatentable over the combination <u>Shaffer</u> in view of <u>Tester</u> and <u>Schneider</u> in further view of <u>Glitho</u> should be withdrawn.

Claims 10-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Shaffer</u> in view of <u>Tester</u> and <u>Schneider</u>, and further in view of U.S. Patent No. 6,976,087 to <u>Westfall et al.</u>, (hereinafter, "Westfall"). This rejection is respectfully traversed with respect to claims 11-14 (i.e., claim 10 being canceled in the present Office Action response).

Claims 11-14 depend from claim 1. As stated above, the combination of <u>Shaffer</u>, <u>Tester</u> and <u>Schneider</u> fails to teach or suggest fails to teach or suggest a second LAN that includes a first segment located in the first geographic region and a second segment located in the second geographic region, that the second LAN is a redundant LAN with respect to the first LAN, and that each of the first LAN and the second LAN respectively includes a single IP subnet. <u>Westfall</u> likewise lacks such teaching or suggestion. <u>Westfall</u> is instead directed to a method and apparatus for configuring packet data networks to supply services to users. One embodiment automatically deploys services onto a network of routers in order to satisfy the requirements of offered service. Thus, <u>Westfall</u> fails to bridge the substantial gap existing between the claimed subject matter and the combination of <u>Shaffer</u>, <u>Tester</u> and <u>Schneider</u>. Accordingly, it is respectfully submitted that the rejection of claims 11-14 as being unpatentable over the combination <u>Shaffer</u> in view of <u>Tester</u> and <u>Schneider</u> in further view of <u>Westfall</u> should be withdrawn.

Claims 22 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaffer in view of Tester, Schneider, and Westfall and U.S. Patent Application Publication No. 2002/0165972 to Chien et al., (hereinafter, "Chien"). This rejection is respectfully traversed.

Claims 22 and 23 include similar patentable aspects recited in claim 1 that are not taught by Shaffer, Tester, Schneider, Westfall and Chien. Claim 22 recites a method for routing packets between geographically separate redundant telephony call processing hosts. Similarly, claim 23 recites a method for allocating network addresses and subnet masks to a pair of geographically separate telephony call processing hosts. Claim 22 has been amended to recite that the first and second LAN sides of a geographically distributed LAN form a single IP subnet, and claim 23 has been amend to recite that the first and second geographically separate sides of each of the first and second LANs each forms a single IP subnet and wherein the second LAN is a redundant LAN with respect to the first LAN. Support for these amendment are found, for example, on page 4, lines 1-11 in the present application, which states that two LAN sides (e.g., segments) may form a single IP subnet (i.e., the same LAN) and that redundant LANs may be utilized (see also Figure 1 of the present application). As stated above, applicants submit that the combination of Shaffer, Tester, Schneider, and Westfall fails to teach or suggest a second LAN that includes a first segment located in the first geographic region and a second segment located in the second geographic region, that the second LAN is a redundant LAN with respect to the first LAN, and that each of the first LAN and the second LAN respectively includes a single IP subnet.

Chien likewise lacks such teaching or suggestion. Chien is instead directed to a method and apparatus for reducing traffic over a communication link used by a computer network. Thus, Chien fails to bridge the substantial gap existing between the claimed subject matter and the combination of Shaffer, Tester, Schneider, and Westfall. Accordingly, it is respectfully submitted that the rejection of claims 22 and 23 as unpatentable over the combination Shaffer in view of Tester, Schneider, Westfall, and Chien should be withdrawn.

CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

<u>If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action</u>.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. **50-0426**.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: May 3, 2010   By: /Gregory A. Hunt/
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